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10/808,247	03/25/2004	Il-joong Jeon	46311	4207
<div>1609 7590 06/25/2008</div> <div>ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.</div> <div>1300 19TH STREET, N.W.</div> <div>SUITE 600</div> <div>WASHINGTON,, DC 20036</div>				
EXAMINER				
WANG, KIENT F				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/808,247

Applicant(s)

JEON, IL-JOONG

Examiner

KENT WANG

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 8-10 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 05/19/2008, have been entered and made of record. Claims 1-4, 6, 8-10 and 12-15 are pending.

Response to Arguments

2. Applicant's arguments, see pages 7-15, filed 05/19/2008, with respect to the rejection(s) of claim(s) 1-2, 6, 10 and 14-15 under 35 U.S.C. § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art references.
3. Applicant's arguments with respect to dependent claims 3-4, 9 and 12-13 filed on 05/19/2008 have been fully considered but they are not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).
4. The applicant argues that Takeuchi is unrelated to a portable composite device operated in a web camera mode which can be connected to a personal computer and provides no motivation or suggestion to one of ordinary skill in the art to modify the wide angle lens of Noro et al., and setting the color temperature of the image signal to a specified color temperature. The applicant argues that Takeuchi provides no suggestion of setting a camera

to a web camera mode or setting a zoom lens to a wide angle mode based on a web camera mode setting and setting a color temperature of the image signal in a web camera mode. The applicant argues that Takeuchi further fails to disclose setting a color temperature by calculating a color temperature difference between a preset color temperature and a color temperature of the image signal, and compensating for the preset color temperature for a camera lens set to a wide angle mode when set in a web camera mode. The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. In response to applicant's argument, it is noted that Takeuchi discloses the step of setting the zoom lens to the wide-angle mode comprises setting a color temperature of the image signal to a specified color temperature (basis of reference control value as preset white balance control value) ([0089], Takeuchi) and discloses a digital camera (200, Fig 1) and a processing system to provide pickup images by arranging signals where a white balance is performed (an adjustment calculating device 241, Fig 1). Noro discloses a method of setting a web camera mode for a portable composite device (camera 16, Fig 5) having an interface connectable (an interface 36, Fig 5) with a personal computer (camera management device 12, Fig 5) and a zoom lens (zoom function [0011]). At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Takeuchi's preset color so as to obtain the results of picking up an achromatic object by a reference digital camera with light sources having different color temperatures, thereby when the reference image data obtained by picking up a light source having an arbitrarily set and fixed color temperature by the reference digital camera ([0089], Takeuchi). Applicant's arguments on dependent claims 3 and 4 are not convincing.

5. The applicant argues that Hata is unrelated to a composite device that can be set to a web camera mode and connected to a personal computer. The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. In response to applicant's argument, it is noted that it would have been obvious to one of ordinary skill in the art to use Hata's setting mode for a portable composite device. The result would have been to enable the recording and playback section 14 plays back the digital video data recorded in the cassette tape 15 and outputs it to the IP packet assembling and disassembling section 19 under the control of the control section 13 ([0034], Hata) as would be the claimed invention. Accordingly, dependent claim 9 is obvious over by the combination of Noro, Suzuka and Hata.
6. With respect to the dependent claims 8, 12 and 13, the examiner believes his office action of 12/13/2007 is proper and accurate. Applicant's arguments are not convincing.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
8. Claims 1-2, 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Noro (US 2002/0135677) in view of Suzuka (US 5,541,703).

Regarding claim 1, Noro discloses a method of setting a web camera mode for a portable composite device (camera 16, Fig 5) having an interface connectable (an interface 36, Fig 5) with a personal computer (camera management device 12, Fig 5) and a zoom lens (zoom function [0011]), the method comprising:

- Setting the portable composite device in the web camera mode (camera console window 60 has various buttons for instructing and setting the camera for the LAN operation) ([0072]);
- determining whether the present mode of the portable composite device (camera 16) is set in a web camera mode and whether the personal computer (camera management device 12) is connected to the interface and the device is used as a web camera (the operation manager 48 detects the already connected camera) (see [0084] and step S11 of Fig 9); and
- setting the zoom lens to a wide-angle mode on the basis of a preset value (the camera console window 60 has pan button 62 and 64 for instructing the direction and a home button 70 for returning to a predetermined position) if the present mode is in the web camera mode (see [0072]).

Noro does not specifically teach the portable composite device setting the zoom lens to a wide-angle mode without requiring a user's additional command on the basis of a preset value; driving the zoom lens in the wide-angle mode by adjusting a focal distance of the zoom lens; and calculating a distance difference between the zoom lens and an object based on a preset distance and compensating for the focal distance of the zoom lens according to the calculated distance difference.

However Suzuka does disclose the portable composite device setting the zoom lens to a wide-angle mode without requiring a user's additional command (the mode in which the photographer automatically adjusts the focal length of the zoom lens 31 can be selected) on the basis of a preset value (the preset value is the object distance data output from the object

distance calculating portion 38) (col. 10, lines 9-25 and col. 8, lines 55-60, Suzuka). Suzuka further discloses the step of setting the zoom lens (zoom lens 31, Fig 1) to the wide-angle mode comprises: driving the zoom lens in the wide-angle mode by adjusting a focal distance of the zoom lens (at step S4, the focal length f_1 is selected as a focal length f which gives the wide angle of view of the zoom lens 31, Fig 7), wherein the step adjusting a focal distance of the zoom lens comprises: calculating a distance difference between the zoom lens and an object based on a preset distance (first focal length calculating portion 43 calculates an appropriate focal length f_1 , at which the object 10 is located within the angle θ of view of the zoom lens 31, in accordance with the distance data from the distance calculating portion 38, Fig 4, where the preset distance is the distance data output from the object distance calculating portion 38), and compensating for the focal distance of the zoom lens according to the calculated distance difference (the focal length of the zoom lens 31 can be precisely adjusted in accordance with the detected object distance) (col. 5, lines 26-49, col. 7, lines 7-14 and col. 10, lines 9-20, Suzuka).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the distance calculating portion as taught by Suzuka, so as the object distance can be calculated in accordance with the angles θ_1 and θ_2 which are detected by the angle detecting portion, thus provide a camera equipped with a remote controller in which enables a photographer to photograph himself by operating the remote controller on the object side of the camera (col. 1, lines 12-17, Suzuka).

Regarding claim 2, Noro discloses a method further comprising: providing an image signal corresponding to an image acquired by the zoom lens set to the wide-angle mode to

the personal computer through the interface (transmit a image signal obtained from the camera 16 to clients as the supply sources of the control signal via the LAN 10 and the camera controller 34 controls the image sensing direction and zoom ratio of the camera 16 and the interface 36 is used for connecting the camera 16 to the camera controller 34. The camera 16 is instructed via the camera interface 36 to have the target pan and tilt angles and zoom ratio read from the camera 16 via the interface 36 and compared with the target values) ([0067]-[0068], [0099] and [0100]).

Regarding claim 6, the limitations of claim 1 are taught above, Suzuka discloses the step of setting the zoom lens to the wide-angle mode further comprises setting the focal distance of the zoom lens to a specified distance (at step S11, whether the calculation of the object distance is appropriately effected by the distance calculating portion 38 is checked and if the calculation of the object distance is not a specified distance, the warning signal is issued) (col. 8, lines 45-54, Suzuka).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the distance calculating portion as taught by Suzuka, so as the photographer can carry the remote controller 20 and which enables a photographer to move the object to a desired position within the picture (col. 8, lines 24-28, Suzuka).

Regarding claim 8, Noro discloses the method further comprising: releasing a setting of the wide-angle mode if the personal computer is disconnected from the interface (the operation manager 48 detects if none of cameras are connected (step S11, Fig 9), the flow advances to ending the camera operation processing (step S12, Fig 9) and releasing a setting of the wide-angle mode) ([0072], [0082]-[0084] and Fig 9, Noro).

9. Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Noro in view of Suzuka, and further in view of Takeuchi (US 2003/0112342).

Regarding claim 3, the limitations of claim 1 are taught above, Takeuchi discloses the step of setting the zoom lens to the wide-angle mode comprises setting a color temperature of the image signal to a specified color temperature (basis of reference control value as preset white balance control value) ([0089], Takeuchi).

Noro, Suzuka, and Takeuchi are analogous art because they are from the same field of endeavor of setting the zoom lens to the wide-angle mode. At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Takeuchi's preset color temperature in Noro, Suzuka, and Yoshikawa's combination. The motivation would have been to obtain the results of picking up an achromatic object by a reference digital camera with light sources having different color temperatures, thereby when the reference image data obtained by picking up a light source having an arbitrarily set and fixed color temperature by the reference digital camera ([0089], Takeuchi).

Regarding claim 4, the limitations of claims 1 and 3 are taught above, Takeuchi discloses the step of setting the color temperature comprises:

- calculating a color temperature difference between the preset color temperature (reference image data d220, Fig 2A) and a color temperature of the image signal (adjustment image data d221, Fig 2A); and
- compensating for the preset color temperature (preset white balance control values) according to the calculated color temperature difference (calculate control

values d213(1) to d213(N) by executing calculation processing) (see [0089] and Fig 2A, Takeuchi).

10. Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Noro in view of Suzuka, and further in view of Hata (US 2001/0017653).

Regarding claim 9, the limitations of claim 1 are taught above, Hata discloses the step the determining step comprises:

- determining (step S4 of Fig 3) whether the portable composite device (i.e. digital video camera 1) is used in a mass storage mode (step S9 of Fig 3) for setting the device to a mobile storage device ([0034], Hata); and
- transmitting video/audio data stored in the portable composite device to the personal computer through the interface (i.e. IEEE 1394 interface 20) if the device is used in the mass storage mode ([0031], [0034] and Fig 3, Hata).

Thus it would have been obvious to one of ordinary skill in the art to use Hata's setting mode in Noro and Suzuka's method of setting a camera mode for a portable composite device. The suggestion/motivation would have been to enable the recording and playback section 14 plays back the digital video data recorded in the cassette tape 15 and outputs it to the IP packet assembling and disassembling section 19 under the control of the control section 13 ([0034], Hata).

11. Claims 10 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hata (US 2001/0017653) in Suzuka (US 5,541,703).

Regarding claim 10, Hata discloses a portable composite device comprising:

- an image acquisition unit (an image capturing section 11, Fig 2) for performing a photoelectric conversion of an optical image taken through a zoom lens and outputting a corresponding electric signal ([0024] and Fig 2, Hata);
- an NTSC/PAL decoder (digital video decoder 16, Fig 2) for converting a standard television signal into digital data to output the digital data ([0025] and Fig 2, Hata);
- a storage medium (a storage section 22, Fig 2) for storing the digital data ([0027] and Fig 2, Hata);
- an NTSC/PAL encoder (DV encoder 12, Fig 2) for converting an input digital data into a standard television signal to output the television signal ([0032] and Fig 2, Hata);
- a control unit (control section 13, Fig 2) for converting the electric signal output from the image pickup unit into digital data, compressing and storing in the storage medium the converted digital data and the data output from the NTSC/PAL decoder, and generating a mode selection signal for selecting either the data stored in the storage medium or the digital data corresponding to the electric signal outputted from the image pickup unit (determined in step S4 that the moving image data for which transmission has been requested is recorded moving image data, the process proceeds to step S9. In step S9, the recording and playback section 14 plays back the CV data recorded in the DV cassette 14 plays back the DV data recorded in the DV cassette tape 15 and outputs it to the IP

- packet assembling/disassembling section 19 under the control of the control section 13) ([0034] and Fig 3, Hata); and
- a switching unit (WWW server processing section 21, Fig 2) for switching and transmitting either the digital data stored in the storage medium or the digital data corresponding to the electric signal, to a serial port through a serial interface, in response to the mode selection signal (determines whether the moving image data for which transmission has been requested is real-time moving image data or recorded moving image data; [0031] and S4 of Fig 3, Hata).

Hata does not disclose setting the zoom lens to a wide-angle mode without requiring a user's additional command on the basis of a preset value; driving the zoom lens in the wide-angle mode by adjusting a focal distance of the zoom lens; a control unit sets a position of the zoom lens included in the image pickup unit to a wide-angle mode on the basis of a preset value in response to an external control signal; and calculating a distance difference between the zoom lens and an object based on a preset distance.

However Suzuka does disclose the portable composite device setting the zoom lens to a wide-angle mode without requiring a user's additional command (the mode in which the photographer automatically adjusts the focal length of the zoom lens 31 can be selected) on the basis of a preset value (where the preset value is the object distance data output from the object distance calculating portion 38) (col. 10, lines 9-25, Suzuka). Suzuka further discloses the step of setting the zoom lens (zoom lens 31, Fig 1) to the wide-angle mode comprises: driving the zoom lens in the wide-angle mode by adjusting a focal distance of the zoom lens (the focal length f_1 is selected as a focal length f which gives the wide angle of view of the

zoom lens 31), wherein the step adjusting a focal distance of the zoom lens comprises: calculating a distance difference between the zoom lens and an object based on a preset distance (first focal length calculating portion 43 calculates an appropriate focal length f_1 , at which the object 10 is located within the angle θ of view of the zoom lens 31, in accordance with the distance data from the distance calculating portion 38, Fig 4, where the preset distance is the distance data output from the object distance calculating portion 38), and compensating for the focal distance of the zoom lens according to the calculated distance difference (the focal length of the zoom lens 31 can be precisely adjusted in accordance with the detected object distance) (col. 5, lines 26-37, col. 7, lines 7-14 and col. 10, lines 9-20, Suzuka).

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the distance calculating portion as taught by Suzuka, so as the object distance can be calculated in accordance with the angles θ_1 and θ_2 which are detected by the angle detecting portion 37, thus provide a camera equipped with a remote controller in which enables a photographer to photograph himself by operating the remote controller on the object side of the camera (col. 1, lines 12-17, Suzuka).

Regarding claim 14, Hata discloses the switching unit (WWW server processing section 21, Fig 2) outputs the digital data stored in the storage medium (storage section 22, Fig 2) to the serial port through the serial interface (IEEE 1394 interface 20, Fig 2) when the mode control signal is in a first logic level (recorded image read from DV cassette tape), and outputs the digital data corresponding to the electric signal to the serial port through the serial

interface (IEEE 1394 interface 20) when the mode control signal is in a second logic level (real-time image from capture image) ([0031], [0034] and Fig 3, Hata).

Regarding claim 15, Hata discloses the storage medium is a hard disc drive (hard disk 102, Fig 8A) ([0051], Hata).

12. Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hata in view of Suzuka, and further in view of Takeuchi (US 2003/0112342).

Regarding claim 12, the limitations of claim 10 are taught above, Takeuchi discloses a control unit (AWB calculating device 220, Fig 1) makes the digital data corresponding to the electric signal have a preset color temperature value (reference preset white balance control values) in response to the external control signal (adjustment calculating device 241(1) to 241(N)) ([0080]-[0081], and Fig 2A, Takeuchi).

Thus it would have been obvious to one of ordinary skill in the art to include the control unit as taught by Takeuchi into Hata and Suzuka's image sensing control apparatus, as the suggestion/motivation would have been to enable the calculation of a plurality of control values used for white balance control processing, thereby to control values for color components corresponding to color temperature ([0080], Takeuchi).

Regarding claim 13, the limitations of claim 10 and 12 are taught above, and although the Takeuchi reference does not specifically that the color temperature value is at or about 4500 degree K, Takeuchi does teach that an adjustment calculating devices (241(1)-241(N), Fig 2A) calculate the WB control values (d213(1)-d213(N), Fig 2A) serving as white balance control values corresponding to the color temperatures of various light sources which irradiate an object to be picked up ([0092], Takeuchi). Because Takeuchi teaches an auto

white balance control processing to adjust the optimal color temperature ([0080], [0092], Takeuchi), it would have been obvious to one skilled in the art to automatically adjusting the digital data corresponding to the electric signal have a preset color temperature value in response to the external control signal.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Okawara (US 2002/0127012), Kobayashi et al. (US 2003/0227555), Watkins (US 6,859,609), Novak (US 2002/0141657), Seo (US 5,832,319), Ishii et al. (US 6,268,966), Ito et al. (US 5,353,162), and Minefujii (US 7,307,799).

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

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about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KW

June 2, 2008

*/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622*